

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUBREY CLIFTON TRAIL,

Defendant.

4:17-CR-3143

ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation ([filing 87](#)) recommending that the government's motion for pretrial determination of voluntary statements ([filing 59](#)) be granted. The defendant has not objected to the Magistrate Judge's findings and recommendation, which expressly informed him that "[t]he failure to timely object may be held to be a waiver of any right to appeal the court's adoption of this recommendation." [Filing 87 at 7](#).

[28 U.S.C. § 636\(b\)\(1\)](#) provides for de novo review only when a party objected to the magistrate's findings and recommendations. [Peretz v. United States](#), 501 U.S. 923 (1991). The failure to file an objection eliminates not only the need for de novo review, but any review by the Court. [Thomas v. Arn](#), 474 U.S. 140 (1985); [Leonard v. Dorsey & Whitney LLP](#), 553 F.3d 609 (8th Cir. 2009). Accordingly, the Court will adopt the Magistrate Judge's findings and recommendation, and grant the government's motion for a pretrial determination that the defendant's statements to law enforcement on November 30, 2017 were voluntarily made.

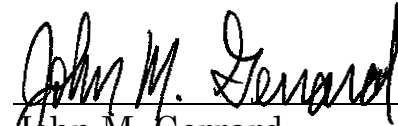
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IT IS ORDERED:

1. The Magistrate Judge's findings and recommendation ([filing 87](#)) are adopted.
2. The government's motion for pretrial determination of voluntary statements ([filing 59](#)) is granted as set forth in the magistrate judge's order.

Dated this 7th day of May, 2018.

BY THE COURT:

  
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John M. Gerrard  
United States District Judge